

Exhibit K

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF PENNSYLVANIA

GREGORY GOODWIN

Plaintiff,

-vs-

ACCURIDE ERIE, LP

Defendant.

Civil Action
No. 05-161

CERTIFIED TRANSCRIPT

DEPOSITION OF: GARY MONTROY

DATE: May 31, 2006
Wednesday, 9:30 a.m.

LOCATION: 150 East 8th Street
Erie, PA

TAKEN BY: Plaintiff
Gregory Goodwin

REPORTED BY: Cynthia A. Hawley
Notary Public
AKF Reference No. CH94797A

1 Q. How long have you been with either Accuride or
2 it's predecessor?

3 A. 33 years.

4 Q. Was it Keiser?

5 A. Keiser at one time, yeah.

6 Q. It was Keiser then it became --

7 A. AKW. And then it went to Accuride.

8 Q. Do you remember about when it became Accuride?

9 A. About '99 I think.

10 Q. And you are a member of the union?

11 A. Yes, sir.

12 Q. What's your position with the union?

13 A. I'm the president of the local right now.

14 Q. And that's UAW?

15 A. Yes, sir.

16 Q. What's the local number?

17 A. Local 1186.

18 Q. How long have you been the president?

19 A. About a year. I was an acting president while
20 our former president was discharged.

21 Q. And who was the former president?

22 A. Doug Ferguson.

23 Q. Doug Ferguson got terminated about when?

24 A. About the same time that Greg Goodwin did in
25 July of 2004 I think it was.

1 might be?

2 A. Yes.

3 Q. What are some of the variables, the factors
4 contributing to production during a particular
5 shift?

6 A. Well, it depends. If you are, like I can just
7 give you an example where I work. I'm not real
8 familiar with where Greg worked. But where I
9 work there's a die temperature, lube factors,
10 stock temperatures. There's a, it's all
11 variable on a daily basis.

12 So say, for instance, you are running
13 out of one furnace you might empty the furnace
14 and the stock gets cold. So that is a
15 variable. There's a different number of
16 variables in determining the product coming out
17 for the day. Also, there's a variable in how
18 the equipment's running. The equipment might
19 not be up to par and you might have problems
20 all day.

21 Q. Or you might have to shut it down?

22 A. Exactly.

23 Q. Now, in terms of the union, your union duties,
24 you are the vice president. How long had you
25 been the vice president as of 2004?

1 A. About a year.

2 Q. And before the vice president what were you?

3 A. Committee person for about, I think it was
4 about five years I was a committee person. I
5 was a steward prior to that.

6 Q. That was my question. Really going to the
7 question of how long have you had a role
8 through the union in grievances?

9 A. Probably 20 years.

10 Q. All right. Now, is it your expectation as a
11 union official that the company impose
12 discipline on an even basis?

13 A. That's my anticipation, yes, sir.

14 Q. In other words, they don't favor one person
15 over another?

16 A. Right.

17 Q. If one person commits a certain kind of an
18 infraction and another person commits that same
19 kind of infraction you would expect the
20 discipline to be the same?

21 A. Exactly.

22 Q. Or at least comparable?

23 A. Comparable discipline for comparable
24 happenings.

25 Q. Is fighting with a coworker considered a

1 A. Yes.

2 Q. Actually, in one capacity or the other you've
3 been a union official since she started to work
4 for the company?

5 A. Yes.

6 Q. Are you familiar with the fact that she's been
7 disciplined on several occasions?

8 A. Yes.

9 Q. I've got some documents. I'll show you the
10 documents in a second. Are you familiar with
11 the fact that she was disciplined for
12 disobeying a direct order from her supervisor?

13 A. Yes.

14 Q. Do you recall what that direct order was?

15 A. I believe she was supposed to go to work on the
16 line. And she said in so many words, go F
17 yourself, I'm going home.

18 Q. Now, she got disciplined for that, correct?

19 A. Yes, she did.

20 Q. But she didn't get terminated?

21 A. No.

22 Q. There's another instant. Do you remember an
23 instant concerning a sign that said White
24 Power?

25 A. Yes, I'm familiar with it, yes.

1 Q. What do you know about it?

2 A. What I know about it is that her and a fellow
3 worker were good friends. He was white and
4 she's black. And they played games with each
5 other. And it had to do with race. I mean,
6 they called each other names. It was more like
7 those two people getting along, that's how they
8 got along.

9 Q. Who was that person?

10 A. Steve Coughlin.

11 Q. Steve?

12 A. Coughlin.

13 Q. C-o-u-g-h-l-i-n?

14 A. Yes.

15 Q. All right.

16 A. And someone found something that Steve had
17 written on her magazine or something. I can't
18 remember what it was. And it was only for her
19 eyes only. And it was for nobody else. But
20 someone found it. And what happened finally
21 was the company found out about it, and they
22 don't tolerate anything racial. And I think
23 they both got a day off or two days. I can't
24 remember how much time they got off, but they
25 were both disciplined for it.

1 A. Yeah.

2 Q. But they had to shut the other one down?

3 A. They had to shut it down, yeah.

4 Q. Help me out here, because there you have
5 Sabrina Gore who disobeys a direct order, goes
6 home, they have to shut down one of the two
7 lines, they lose production, and she doesn't
8 get terminated for that, does she?

9 A. No.

10 Q. Now --

11 A. I'm glad she didn't, I got to tell you, you
12 know.

13 Q. That's all right. That's your job.

14 A. I don't want to see anybody --

15 Q. Mr. Goodwin got terminated, didn't he?

16 A. And he shouldn't have either.

17 Q. I know. And you testified to that at the
18 hearing, correct?

19 A. Right.

20 Q. My question is, if you know, how come you have
21 one person whose disobedience results directly
22 in reduced production is not terminated, you
23 have another person who is simply accused of a
24 slow down, there is no slow down in production
25 and he gets terminated?

1 MR. GOLDNER: Objection,
2 argumentative, foundation, firsthand knowledge.

3 THE WITNESS: I don't know.

4 BY MR. CHIVERS:

5 Q. Other than that -- that was a good answer. All
6 right. You don't know?

7 A. I don't know.

8 Q. Fine. Give me two minutes. I'm going to talk
9 to my client.

10 - - - -

11 (There was a brief pause in the proceedings.)

12 - - - -

13 EXAMINATION

14 - - - -

15 BY MR. GOLDNER:

16 Q. Mr. Montroy, I just have a couple questions for
17 you.

18 MR. PINSON: Can I have 30 seconds
19 for another question?

20 MR. GOLDNER: Sure.

21 BY MR. GOLDNER:

22 Q. Mr. Montroy, I believe you testified earlier
23 about production reports or information the
24 company may have that would indicate the
25 production of the various lines. Do you recall

1 COMMONWEALTH OF PENNSYLVANIA) CERTIFICATE

2 COUNTY OF ERIE) SS:

3 I, Cynthia A. Hawley, a Court Reporter and
4 Notary Public in and for the Commonwealth of
5 Pennsylvania, do hereby certify that the witness,
6 GARY MONTROY, was by me first duly sworn to testify
7 to the truth, the whole truth, and nothing but the
8 truth; that the foregoing deposition was taken at the
9 time and place stated herein; and that the said
10 deposition was recorded stenographically by me and
11 then reduced to printing under my direction, and
12 constitutes a true record of the testimony given by
13 said witness.

14 I further certify that the inspection, reading
15 and signing of said deposition were waived by counsel
16 for the respective parties and by the witness.

17 I further certify that I am not a relative or
18 employee of any of the parties, or a relative or
19 employee of either counsel, and that I am in no way
20 interested directly or indirectly in this action.

21 IN WITNESS WHEREOF, I have hereunto set my hand
22 and affixed my seal of office this 2nd day of June,
23 2006.

24 Cynthia A. Hawley
25 Notary Public

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal

Cynthia A. Hawley, Notary Public

City Of Erie, Erie County

Pittsburgh, Commission Expires June 2, 2009

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